

TOMPKINS COUNTY DEPARTMENT OF HEALTH DIVISION OF ENVIRONMENTAL HEALTH

401 Harris B. Dates Drive
Ithaca, New York 14850-1305
(607) 274-8888

ENVIRONMENTAL HEALTH HIGHLIGHTS June 1998

The Spotlight

Since, the Surgeon General has identified tobacco use as the number one preventable cause of death in the United States, and the National Centers for Disease Control and Prevention reports that tobacco use kills more Americans than motor vehicle crashes, AIDS, cocaine use, heroin use, homicide, and suicide combined; and

Since, a survey by the Tompkins-Seneca-Tioga BOCES between 1996 and 1998 of students in grades 6 through 12 found that 54% had tried cigarette smoking; 35% had smoked a whole cigarette before they were 15 years old; and 19% had already tried to quit; and

Since, a survey of 82 retail tobacco stores in Tompkins County in 1998 by the Division of Environmental Health revealed that 52 (63%) maintained self-service of tobacco products; and

Since, New York State and Federal laws restrict the use of tobacco products in public places and work sites and the sale of tobacco products to minors under the age of eighteen; and these restrictions are enforced by the Tompkins County Health Department through the Division of Environmental Health; and despite these restrictions, minors continue to start smoking; and

Since, self-service of tobacco products implies the same level of consumer safety and acceptance as other self-service products such as gum and candy, and restricting self-service will reduce minors' access to tobacco products by requiring sales to be made by personal transactions; and

Since, The Board of Representatives of Tompkins County believes restricting the self-service sales and open displays of tobacco products will promote the health, safety, and welfare of residents of Tompkins County under the age of eighteen;

On June 2, 1998, the Tompkins County Board of Representatives passed Local Law 3 Regulating the Self Service Sale of Tobacco Products. The Law states that "no person, business, or tobacco retailer shall sell, permit to be sold, offer for sale or display any tobacco product by means of self-service merchandising." Furthermore, "any person, business, tobacco retailer, or owner, manager or operator of any establishment subject to this local law who fails to comply with any provision of this local law shall be guilty of a violation...and be subject to a fine of up to \$1,000 for a first violation and a fine of up to \$2,500 for a second or succeeding violation or imprisonment of not more than 15 days or by both such fine and imprisonment." This local law takes effect September 1, 1998 and will be enforced by police officers, peace officers and the Tompkins County Health Department.

**Questions and Answers
About
The Removal of Self-Service Sales of Tobacco Products**

- Q. When does this law go into effect?**
- A. The Law goes into effect September 1, 1998.**
- Q. Who is affected by the Law?**
- A. Any tobacco retailer with open tobacco product displays accessible to customers.**
- Q. What types of tobacco products does this law include?**
- A. All types - This Law includes cigarettes, cigars, snuff, chewing tobacco, pipe tobacco, etc.**
- Q. How should tobacco products be displayed for sale?**
- A. Racks, shelves, or kiosks of tobacco and tobacco products must either be put behind the counter, in locked cases, or removed from the store.**
- Q. Won't this be an inconvenience to my employees?**
- A. There may be an inconvenience at first, because it is different. After a while, it will become second nature. According to one California retailer, "the decrease in the shoplifting greatly outweighed any inconvenience."**

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